IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3051 OF 2007

Khan Estate Agency .. Petitioner
V/s
The Commissioner, Central Excise &
Customs, Nashik .. Respondents

Mr.Sharad Bhattad i/by M/s.SSP Legal for the Petitioner.
Mr.Parag Vyas with Ms.Heena Shah for Respondents.

CORAM : DR.S.RADHAKRISHNAN, &
SMT.N.N.MHATRE, JJ.

DATE : 28th June, 2007.

P.C.:

1. Heard the learned Counsel for the parties. Rule. Rule is made returnable forthwith. The learned Counsel for the Respondents waives service. By consent taken up for hearing.

2. By this petition, the Petitioner is challenging the order passed by CESTAT dated 20th November, 2006 whereby the CESTAT has disposed of the Appeal arising out of an order passed by the Commissioner of Central Excise dated 2nd May, 2006. The impugned order does not contain any reasons whatsoever. Even the learned Counsel for the Respondents is unable to find out any reasoniong in the said order. Hence, only on this limited ground, as the said order does not contain any reasoning whatsoever, we are inclined to quash and set aside the order dated 20th November, 2006. Accordingly the impugned order dated 20th November, 2006 is hereby quashed and set aside and the matter is remanded back to the CESTAT for fresh

hearing.

3. CESTAT is hereby directed to hear and dispose of the Appeal bearing No.ST/229 of 2006 on its own merits and in accordance with law, and with proper reasonings.

4. Rule is made absolute in terms of the above.

(SMT.N.N.MHATRE, J.) **(DR.S.RADHAKRISHNAN,J.)**